

Notice of Allowability

Application No.

10/057,199

Examiner

Eric B. Compton

Applicant(s)

POWELL, JEFF

Art Unit

3726

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an After Final Request for Reconsideration filed 5/26/04.
2. ☒ The allowed claim(s) is/are 14-24.
3. ☒ The drawings filed on 25 January 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Karin H. Butchko on June 3, 2004.

The application has been amended as follows:

In the Specification, at the beginning of page 1, the claim of priority, as amended by the Preliminary Amendment dated January 25, 2002, has been replaced by:

--This application is a divisional application of serial number 09/788,829 filed February 20, 2001, now U.S. Patent 6,394,055.--

In claim 14, line 7, --said plurality of protrusions of-- has been inserted after "utilizing"

Remarks

2. Applicant's arguments filed May 19, 2004 ("Response"), have been fully considered and are generally found persuasive.

3. The claim of priority has been amended to reelect the issuance of the parent application.

4. The above change to claim 14 was made to further distinguish over U.S. Pat. 6,309,156 to Schneider and to provide to structural relationship of the protrusions with respect to the component.

Schneider discloses a sleeve (43), presumably which can be used as a compression limiter. However, in Schneider, while the sleeve is formed by forming a plurality of protrusions on a edge of sheet of stock and roll forming a sheet of stock to form the sleeve as shown in Figure 13, the reference does not teach or suggest "transmitting a load provided by said fastening member to said component by utilizing said plurality of protrusions of said compression limiter," as required by claim 14 (as amended herein). In Schneider, the protrusions are used to prevent the fastener from becoming removed from the sleeve, and not to transmit a load to the component. Although, Schneider discloses using a flange (42) to transmitting a load to a component, the reference does not disclose a plurality of protrusions for that purpose or how to form the flange. The sleeve having a flange as shown in Figure 23, does not appear to be roll formed, since there is no break or slot extending from the center of the flange to the edge of the flange. See Response, page 3.

In addition, claim 14 did not disclose the structural relationship of the "plurality of protrusions" with respect to the component. Therefore, the amendment was also made to account for the gap in this regard. See MPEP § 2172.01.

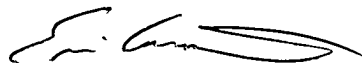
The added language was adopted from parallel claim language as found in claim 1 of Applicant's related application, 10/056,599, which issued as U.S. Pat. 6,663,330.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric B. Compton whose telephone number is (703) 305-0240. The examiner can normally be reached on M-F, 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter B. Vo can be reached on (703) 308-1789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Eric Compton
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A/U 3726